

PLANNING AND ZONING COMMISSION
Monday, October 13, 2008 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Dr. Konold, Ms. Solomon, Mr. Vasko and Mr. Wynkoop. Mr. Wynkoop made a motion to excuse Mr. Knowlton. Mr. Graber seconded the motion. The motion passed unanimously.

Approval of Minutes

Mr. Christensen noted the approval of the August 7, 2008 minutes joint meeting with Council were not included in the packet and therefore will be deferred to the regular November meeting.

Mr. Vasko made a motion to approve the minutes of the September 8, 2008 Planning and Zoning Commission meeting. Dr. Konold seconded the motion. The motion passed 5 – 0 – 1 with Mr. Wynkoop abstaining.

Public Comment - There was none.

Administration of Public Oath

Mr. Christensen administered the public oath.

Item 1. Public Hearing Variance Application #VA-08-06

Applicant Doug Emert of Ricop, representing Manifold & Phalor for property on Busey Road, west of Loveland Excavating, PID #042-0376200, owned by Canal Pointe LLC, is requesting approval of a variance to Section 1175.02 (d) (1) (C) to reduce the parking lot setback from the centerline of Busey Road from 100 feet to 66 feet. Allan Neimayer, Planning and Zoning Administrator, gave the staff report. Doug Emert and Walter Beatty of Ricop were present to answer questions from the Commission.

Mr. Christensen asked if there is still room for a multi use path? Mr. Neimayer stated yes there is in the right-of-way. Mr. Graber inquired if the multi use path is written into Loveland Excavating's and South Central Power's agreement for them to put the path in at some point. Mr. Neimayer said he would have to review those two cases, but probably not.

There were no questions for the Applicant.

Mr. Christensen opened the public hearing. There were no comments. Mr. Vasko Made a motion to close the public hearing. Ms. Solomon seconded the motion. The Motion passed unanimously.

Mr. Vasko made a motion to approve application #VA-08-06 as submitted. Dr. Konold seconded the motion. The motion passed unanimously.

Item 2. Site Developement Application #SDP-08-06

Applicant Doug Emert of Ricop, representing Manifold & Phalor for property on Busey Road, west of Loveland Excavating, PID #042-0376200, owned by Canal Pointe LLC, is requesting approval of an approval for a 27,000 sq. ft. industrial factory for machining steel parts and 1,800 sq. ft. office.

Mr. Neimayer gave the staff report. Doug Emert and Walter Beatty of Ricop were present to answer questions from the Commission.

Mr. Beatty said that he reviewed the staff report and his client is on board with the Phase 1 recommendations. He stated that there are concerns with the future phases and coverage's on the lot. They would like to go over the maximum building area with the final build out and would assurance that it will be able to be done in the future. Mr. Wynkoop stated the Commission cannot give assurances to what would happen in the future, with future Commission members. Mr. Graber stated that they need to bring the whole plan to approve now in order to do that, not a phased approval.

There was discussion about how the build out phases should be handled for approval for the Commission or if this needs to be an overall site approval to be constructed in phases. Mr. Emert stated that he will take that information back to his client. The decision was made to table the application until Mr. Emert spoke to his client and possibly bring back the site plan as a whole instead of in phases.

Mr. Vasko said that he would like to set a time period between phases and if it is longer than that time something must be done with the blank wall on the building.

Mr. Christensen asked if there were any other items that needed to be brought up since this application is going to be tabled. Mr. Vasko stated that he would like to see the tree islands in the parking lot staggered. It would appear have more of a screening effect and you will not loose any parking. Mr. Neimayer stated on the future secondary access to make a note to connect it to the other road. Also, he advised Mr. Emert to contact the Violet Township Fire department about access behind (south side) the building. For a building of this size, the fire department prefers to have access from all four sides of the building.

Dr. Konold made a motion table Application #SDP-08-06 for the purpose to move from a phased approval to approval of the entire site. Ms. Solomon seconded the motion. The motion passed unanimously.

Item 3. Certificate of Zoning Compliance #ZC-08-061

Applicants Karla Perretta & Julie Schneider of Orchids & Ivy The Flower Post, for property located at 100 Cemetery Road, owned by Marcia Morefield, is requesting a zoning permit approval for a florist shop. Mr. Neimayer gave the staff report and explained this application would be a modification of the PCD plan previously approved for The Shoppes at Winchester Farms. Julie Schneider and Marcia Morefield were present to answer questions from the Commission.

Mr. Graber asked if the ownership of the property ever changed hands. Mr. Neimayer answered no. And, no parcels were ever combined.

Ms. Schneider informed the Commission that there will no longer be an apartment on the second floor. That area will be used as storage for the business.

Mr. Wynkoop made a motion to approve application #ZC-08-061. Mr. Vasko seconded the motion. The motion passed unanimously.

Old Business

Commercial Design Standards. Mr. Neimayer asked the Commission to focus their discussion on the parking lot standards. The Commission agreed with the current version presented and had no additional comments. Mr. Neimayer will put the whole document on the Commission's November agenda for a motion to be forwarded on to Council.

New Business – None.

120 North High Street. Mr. Neimayer informed the Commission that a towing company would like to use this site, zoned LM (Limited Manufacturing) as a satellite office. They are proposing to put a privacy fence along the north boundary of the property. No changes to the building are planned. Mr. Neimayer asked for the Commission's input on the proposed use in reference to Section 1149.03 Nonconforming Structures and Developments and in reference to Section 1185.04 (d) surfacing of parking lots.

The Commission focused their discussion on the proposed use abutting Winchester Village Subdivision, a residential zoned district. The question was brought up as to whether the Commission could put restrictions on the property. Cory Colombo, representing the Village Solicitor, stated that as long as there were no structural changes to the building the Commission cannot require any changes made to the site or put any restrictions on the use.

Dr. Konold expressed his concern of the proposed use next to a residential district. Mr. Vasko asked Mr. Neimayer under what section of the Chapter 1171 did he determine the proposed use was a permitted use. Mr. Neimayer referenced Section 1171.02 (c) (3) and (4). Mr. Neimayer asked the other Commission members for the opinions of who thought the proposed use was an appropriate use in the LM District. Ms. Solomon, Mr. Graber and Mr. Christensen were for and Mr. Vasko, Mr. Wynkoop and Dr. Konold were against the proposed use in the LM District.

Planning and Zoning Administrator's Report

1. Winchester Circle. Mr. Neimayer informed the Commission that he was following up with KCDG on updated plans and text per the approval at the August meeting. There are still items that need to be addressed:
 - a. The multi-use path along Diley and Busey roads appears to be marked but not labeled a such.
 - b. The right in/right out on to Greengate Boulevard from Parcel B was deferred for future review. This area needs to be clearly identified that it is subject to change.
 - c. Greengate Boulevard name needs corrected.
 - d. Concrete stamped cross walks.
 - e. Corner signs are to state "Winchester Circle" only.
 - f. Signage information presented is for information only.
 - g. Lightning fixtures are to be patterned after the Meijer site.
 - h. The size (footprint) of the buildings on parcels A & B are not approved.

Mr. Vasko brought up that he did not believe all the landscaping islands were staggered as they were supposed to be. The Commission agreed that the plans should be updated to reflect all changes before they go on to Council so that there is no misunderstanding by Council of the Planning and Zoning Commission's recommendation (i.e., conditions to revised preliminary plan approval).

2. Meijer Landscaping. Mr. Neimayer informed the Commission that the dead landscaping will be replaced by the end of October. Meijer's temporary occupancy has been extended to March 2009. The reason for the additional time is to work out the details on future Hill Road improvements and what Meijer's share of those improvements are.
3. Pfeifer Winery update. The lot split application has now been approved following civil engineering plan approval and review of associated easements/agreements related water supply and sanitary sewer system both located on the adjacent Doll Museum property, and shared parking with the Doll Museum property. There is a foundation start issued on the winery building.
4. Mr. Strayer gave an update on the demolition of the Marathon station. Franklin County CIC has agreed to tear down the building. They are waiting for the money to be allocated from the state. It is scheduled to come down on the 29th or 30th of this month.
5. Mr. Neimayer asked that the Commission motion to forward the amendments to the Preservation Guidelines to Council. Ms. Solomon motioned to forward the amendments to the Preservation Guidelines (included in the packet; discussed at prior meetings with the Landmarks Commission) to Council. Dr. Konold seconded the motion. The motion passed unanimously.

Adjournment

Mr. Vasko made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Ms. Solomon seconded the motion. The motion passed 5 – 1, with Dr. Konold voting no.

Time Out: 8:37 p.m.

Date _____

Bill Christensen, Chairman

Jeff Graber, Secretary